

PATENT
USSN 10/061,044
674543-2001.1

REMARKS

Reconsideration and withdrawal of the rejections of the application and prompt issuance of a Notice of Allowance are respectfully requested in view of the amendments and remarks herewith, and the matters discussed with Practice Specialist Dr. George Elliot and SPE Thurman Page, who are both thanked for the many courtesies extended.

STATUS OF THE CLAIMS AND FORMAL MATTERS

Claim 15 remains pending.

Claim 15 was previously amended, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

Claims 16 and 17 were previously cancelled, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

And claim 14 is herewith cancelled without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

No new matter is added.

It is submitted that the claims, as originally presented and as amended herein, are patentably distinct over the art, and that those claims are and were in full compliance with the requirements of 35 U.S.C. 112. The amendments and the remarks made herein are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, the amendments and remarks herewith are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Indeed, as there is no amendment to claim 15, it is clear that the claim has not been amended and that there is to be no estoppel arising from this paper as to that claim.

Likewise, as amended claim 15 represented originally-presented claim 17 rewritten in independent form, the previous amendment of claim 15 was as if claim 17 was not amended; and thus, there should be no estoppel arising from the previous amendment to claim 15.

During the telephone conversation with SPE Page and in communications with Practice Specialist Elliot, it was indicated that claim 15 is allowable. Accordingly, it is understood that all rejections are overcome as to claim 15. All previous remarks are hereby incorporated herein by reference, including those made in the parent application.

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REQUEST FOR INTERVIEW

If any issue remains as an impediment to allowance, prior to issuance of any paper other than a Notice of Allowance, an interview, is respectfully requested, with the Examiner and SPE Thurman Page and Practice Specialist George Elliot; and, the Examiner is respectfully requested to contact the undersigned to arrange a mutually convenient time and manner for such an interview. Again, Practice Specialist Elliot and SPE Page are thanked for the many courtesies extended.

CONCLUSION


In view of the amendments and remarks herewith, Applicants have addressed and overcome all of rejections of the application set forth in the Office Action, and the present application is in condition for allowance.

Thus, early and favorable reconsideration and withdrawal of the rejections of the application as set forth in the Office Action, and, prompt issuance of a Notice of Allowance of claim 15, or an interview with supervisory review, i.e., an interview including Practice Specialist George Elliot and SPE Thurman Page, at an early date, with a view towards reaching agreement on allowable subject matter, are earnestly solicited.

Respectfully submitted,

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